



FREE CHECKLIST FOR GEORGIA FAMILIES

YOUR PROBATE PREP KIT

A simple, step-by-step checklist to help you get organized, so your first conversation with us is easier, faster, and more focused on you.

✓ Fill in what you know

✓ Skip what you don't

A COMPANION TO

The Probate Playbook, our free guide to understanding probate in Georgia.

START HERE

HOW WE'LL WALK THIS ROAD TOGETHER

Every probate matter we handle follows the same four phases. This kit focuses on **Phase 1**, the part where your preparation makes the biggest difference.



How to use this kit

- 1** Work through Sections 1 through 5 at your own pace. Most families finish in under an hour.
- 2** Write down what you know. If you're unsure, check "Not sure" and move on. That's useful information too.
- 3** Gather the documents in Section 5. Copies are fine for now; just keep originals somewhere safe.
- 4** Keep this kit next to you during your first call. We'll follow the same order, so nothing gets missed.
- 5** Want to save time? Email us a photo or scan of your completed pages before we talk.

Short on time?

If you can only answer five things before your call, make it these. They tell us almost everything we need to point you in the right direction.

- | | | |
|----------|---|--------|
| 1 | Your loved one's name and date of passing | Sec. 1 |
| 2 | The county where they lived | Sec. 1 |
| 3 | Whether there's a will | Sec. 2 |
| 4 | Spouse and children, living or not | Sec. 3 |
| 5 | Whether they owned a home | Sec. 4 |



PHASE 1 • GETTING STARTED

YOU & YOUR LOVED ONE

WHY WE ASK The county where your loved one lived decides which probate court handles the estate, and the date of passing affects which options are available to your family.

ABOUT YOU

Your full name

Your relationship to your loved one

Best phone number

Email

Best time to reach you

Your mailing address

ABOUT YOUR LOVED ONE

Full legal name (include any other names they used)

Date of passing

Home address at the time of passing

County

Marital status at the time of passing

☐ Married ☐ Widowed ☐ Divorced ☐ Never married

Do you have certified copies of the death certificate?

☐ Yes ☐ Ordered ☐ Not yet

WHERE THINGS STAND TODAY

Has anything already been filed with a probate court?

☐ Yes ☐ No ☐ Not sure

Has anyone else (a relative or another attorney) started handling the estate?

☐ Yes ☐ No ☐ Not sure

If yes to either, who, and what was done?



Tell us right away if something is urgent. For example: a home facing foreclosure or tax sale, a house sitting empty, a pending sale, or a court deadline. We can sometimes move faster when time matters.



PHASE 1 • GETTING STARTED

THE WILL

WHY WE ASK Whether there's a will, and who it names to be in charge, is the single biggest factor in deciding which court petition your family needs.

IS THERE A WILL?

Did your loved one leave a will? ☐ Yes ☐ No ☐ Not sure

Do you have the **original** signed will? (not just a copy) ☐ Original ☐ Copy only ☐ Can't find it

Where is the original kept right now?

Are there any later changes or add-ons to the will (sometimes called a "codicil")? ☐ Yes ☐ No ☐ Not sure

Is there a notarized page at the end, signed by the witnesses? ☐ Yes ☐ No ☐ Not sure

Did your loved one also have a trust? ☐ Yes ☐ No ☐ Not sure

WHO THE WILL PUTS IN CHARGE

the "executor"

Executor named in the will

Their relationship to your loved one

Is this person living, and willing and able to serve? ☐ Yes ☐ No ☐ Not sure

Backup (successor) executor, if one is named

Living, willing, and able?

☐ Yes ☐ No ☐ Not sure

IF THERE'S NO WILL

Who in the family is willing to serve as administrator?

Their relationship to your loved one



Protect the original will. Don't unstaple it, write on it, or mail it anywhere. If the original can't be found, Georgia law may presume it was cancelled, though there are ways to address that. Just let us know on the call.



PHASE 1 • GETTING STARTED

FAMILY & HEIRS

WHY WE ASK Georgia requires that every legal heir be identified and notified, even relatives the family hasn't spoken to in years. Getting this right at the start is the best way to avoid delays later.

SPOUSE

Spouse's name

Address / phone / email (whatever you have)

CHILDREN

include children from all relationships, adopted children, and children who have passed away

NAME	AGE IF UNDER 18	CONTACT INFO (IF KNOWN)	IF PASSED AWAY: BEFORE OR AFTER YOUR LOVED ONE?
			☐ Living ☐ Before ☐ After
			☐ Living ☐ Before ☐ After
			☐ Living ☐ Before ☐ After
			☐ Living ☐ Before ☐ After
			☐ Living ☐ Before ☐ After

If a child passed away before your loved one, please list that child's own children (your loved one's grandchildren) in the notes below.

NO SPOUSE OR CHILDREN?

list parents, brothers, and sisters instead

Names and relationship

A FEW MORE QUESTIONS

Is there any heir whose whereabouts are unknown?

☐ Yes ☐ No

Is any heir a minor, or an adult who can't manage their own affairs?

☐ Yes ☐ No

How would you describe family relationships right now?

☐ On the same page ☐ Some tension ☐ Real disagreement ☐ Rather discuss



PHASE 1 • GETTING STARTED

PROPERTY & DEBTS SNAPSHOT

WHY WE ASK What your loved one owned, and *how* it was owned, tells us whether probate is needed and which path is simplest. A rough picture is plenty for now. (For a detailed list, use the asset tracker in *The Probate Playbook*.)

THE HOME OR OTHER REAL ESTATE

Did your loved one own a home or land? ☐ Yes ☐ No ☐ Not sure

Property address

County

Is anyone else's name on the deed? ☐ Yes ☐ No ☐ Not sure

Is there a mortgage on the property? ☐ Yes ☐ No ☐ Not sure

Who is living in the home now? ☐ Family member ☐ Tenant ☐ It's empty

EVERYTHING ELSE

check all that apply

TYPE	DID THEY HAVE THIS?	BENEFICIARY OR CO-OWNER NAMED?	NOTES (BANK, COMPANY, ETC.)
Bank accounts	☐ Yes ☐ No ☐ ?	☐ Yes ☐ No ☐ ?	
Investment / brokerage accounts	☐ Yes ☐ No ☐ ?	☐ Yes ☐ No ☐ ?	
Retirement accounts (401k, IRA)	☐ Yes ☐ No ☐ ?	☐ Yes ☐ No ☐ ?	
Life insurance	☐ Yes ☐ No ☐ ?	☐ Yes ☐ No ☐ ?	
Vehicles	☐ Yes ☐ No ☐ ?	☐ Yes ☐ No ☐ ?	
Business interests	☐ Yes ☐ No ☐ ?	☐ Yes ☐ No ☐ ?	
Valuables (jewelry, art, collections)	☐ Yes ☐ No ☐ ?	n/a	

DEBTS & BILLS

Known debts (check all that apply)

☐ Mortgage ☐ Car loan ☐ Credit cards ☐ Medical bills ☐ Taxes owed ☐ Other

Have any creditors or collectors contacted the family? ☐ Yes ☐ No

Please don't pay estate debts from your own pocket or hand out property yet. We'll help you do it in the right order.

SECTION
5

PHASE 1 • GETTING STARTED

DOCUMENTS TO GATHER

WHY WE ASK These are the papers we'll draw from to prepare your court filing. Having them ready means fewer follow-up requests and a faster start. Items marked **START HERE** matter most.

☐

Death certificate **START HERE**

Certified copies, usually from the funeral home or the county vital records office.

☐

The will & any changes **START HERE**

A copy for now. Keep the original safe and unaltered.

☐

Deed to the home or land **START HERE**

Or the property address so we can look it up in county records.

☐

List of family members **START HERE**

Section 3 of this kit covers it.

☐

Recent account statements

Bank, investment, and retirement accounts. The most recent one for each is enough.

☐

Beneficiary paperwork

Life insurance policies and any "payable on death" or beneficiary forms.

☐

Vehicle titles

For any cars, boats, or other titled vehicles.

☐

Mortgage & loan statements

The latest statement for each.

☐

Bills & creditor letters

Medical bills, credit card statements, and any collection notices.

☐

Recent tax returns

Your loved one's last one or two years, if you can find them.

☐

Any court papers

Anything already filed or received from a probate court.

☐

Funeral receipts

Keep track of who paid for what. It may be repaid from the estate.

☐

Trust documents

If your loved one had a trust.

☐

Your photo ID

You'll need it later if you attend a court hearing virtually.



Can't find something? Don't let it hold you up. Many of these records can be located later, and some we can look up for you. Call us with what you have.

WHAT HAPPENS NEXT, AND WHAT WE'LL ASK OF YOU

Once you decide to work with us, here's how the rest of the journey unfolds. We handle the legal work at every step. Your part is shown on the right.

PHASE 1 GETTING STARTED	 Welcome aboard We send a representation agreement to sign electronically, then a welcome email with next steps.	YOUR PART Sign the agreement and send the documents from Section 5.
	 We prepare your court petition We draft the right petition for your family and locate any heirs or will witnesses we need to reach.	YOUR PART Answer follow-up questions and review the draft with us.
PHASE 2 PREPARING & FILING	 Signatures You sign the petition. When the family gets along, heirs can sign too, which often speeds things up and can save the estate money.	YOUR PART Sign, and give family a friendly heads-up that papers are coming.
	 Filing with the court We file with the probate court and make sure every heir is properly notified.	YOUR PART Nothing! We'll confirm once it's filed.
PHASE 3 COURT APPROVAL	 Notices & waiting periods Some cases require a notice in the local newspaper, typically once a week for four weeks, before the court can move forward.	YOUR PART Be patient. This waiting is normal and expected.
	 The oath hearing A short swearing-in, in person or sometimes virtually. The court may also require a bond (insurance for the estate) unless all heirs agree to waive it.	YOUR PART Attend (we'll schedule it with you). Bring your ID.
PHASE 4 SETTLING THE ESTATE	 "Letters" are issued The court issues the official document giving the personal representative authority to act.	YOUR PART Keep copies handy. Banks will ask for them.
	 Notice to creditors A notice runs in the paper, and creditors then have about three months to come forward.	YOUR PART Gather assets and hold off on distributing.
	 Pay, distribute, and close Valid debts are paid in the order Georgia law requires, property passes to the right people, and the estate is closed.	YOUR PART Sign off on the final steps. Then rest.

A SHORTER PATH FOR SOME FAMILIES

If your family qualifies for **Year's Support** (for a surviving spouse or minor children) or an **order that no administration is necessary** (simple estates where everyone agrees), the court can transfer property directly by order. In those cases there's no oath hearing or bond. We'll tell you on your first call if this applies.

MY QUESTIONS & NOTES

There are no silly questions. Write down anything on your mind, big or small, so you don't have to remember it in the moment.

QUESTIONS I WANT TO ASK

THINGS I'M WORRIED ABOUT

NOTES FROM MY CALL

date: _____ spoke with: _____

MY NEXT STEPS

☐ _____

☐ _____

☐ _____

READY WHEN YOU ARE

YOU'VE DONE THE HARD PART. LET'S TALK.

Whether you've filled in every line or just a few, you're more prepared than you think. Bring this kit to your first conversation and we'll take it from there, together.

SEND IT AHEAD

Email a photo or scan of your completed pages before your call so we can review them in advance.

OR BRING IT ALONG

Keep it in front of you during the call. We'll follow the same order, section by section.

START HERE

Call us to schedule
your first conversation

CALL

(912) 388-0254

VISIT ONLINE

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OFFICE

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DEVETTER LAW

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